

Task Force on Wildland-Urban Interface Standards

Minutes from Meeting June 23, 2008

Helena

Present:

Harold Blattie	Montana Association of Counties
Pat Cross	Department of Natural Resources and Conservation
Tim Davis	Montana Smart Growth Coalition
Doris Fischer	Department of Fish, Wildlife and Parks
Jerry Grebenc	Department of Commerce
David Greer	Plum Creek Lumber
Pat McKelvey	Fire Safe Montana / Lewis & Clark County
Ellen Simpson	Montana Wood Products Association
Bruce Suenram	Fire Logistics, Inc.

Facilitator: John Moore

The meeting convened at 10:05 a.m.

By consensus, the group reached these decisions:

1. Suggested several edits to the WUI Master Guidelines Document:
 - add a footer with page numbering a version date
 - delete section II(3)(d)(ii), move all water-supply information (Section IV) into place here; Section V again becomes Section IV
 - in II(D)(1)(b)(iv) put 5-foot clearance on each side of private roads
 - in II(D)(1)(b)(iv), say that vegetation management plan should address clearance along public roadways; delete “prior to the filing of the final plat for a subdivision”; move single-specimen language into asset protection zone section
 - move “prior to the filing of the final plat for a subdivision” to the beginning of II(D)(1)(b)(ii)
 - II(D)(1)(b)(i) to read “The subdivider should provide a vegetation management plan for all properties within the subdivision, including lots, roadways, and open space”
 - add a subsection (vi) on debris removal; add “debris” to definitions
 - in water supply, change references to “code” and “code official”
 - in water supply section now in subdivision, clarify (G)(1) “buildings other than one- and two-family dwellings” – under this language, a barn would qualify
 - add a portion to definition of “physical access” to clarify that it’s year-round, all-weather access
2. Assigned tasks, responsible parties, and deadlines for further revisions to the document.

<u>Activity</u>	<u>Responsible</u>	<u>Deadline</u>
minutes	John Moore	6/27/08

- delete definitions of terms that aren't used in the body of the document	Pat Cross DNRC paralegal	7/3/08
- in the zoning section, add statutory authority information	Jerry Grebenc	7/15/08
- send to Mark Phares		
- Section II(3)(a)(ii), add language on emergency access to open space; delete the last two sentences	Pat Cross	7/15/08
- add a subsection II(D)(1)(b)(v) on fuel breaks and green belts		
- state simply that exterior wood siding and roofing are prohibited		
- come up with language for "alternative development proposal"	Bruce Suenram	7/15/08
- send to Mark Phares		
- come up with language about coordinating standards for fish and wildlife habitat overall	Doris Fischer	7/15/08
- send to Mark Phares		
- to clarify that some areas are unsuitable for building, add language <ul style="list-style-type: none"> • in the subdivision section, refer to 76-3-501 and 504, MCA • in the zoning section, refer to local authority 	Tim Davis	7/15/08
- in Introduction (D) Purpose, make a statement on the strengths and weaknesses of each approach (sub regs, zoning, covenants), along with limitations on authority		
- send to Mark Phares		
- move II(D)(1) (a) APZ into (b) vegetation management plan; come up with an alternative to "building envelope"	Jerry Grebenc Tim Davis Dave Greer	7/15/08
- edit the zoning section to address water supply		
- send to Mark Phares		
- in water-supply section P on standby power, strike it or change it to be realistic	Jerry Grebenc Bruce Suenram Harold Blattie	7/15/08
- send to Mark Phares		

3. Set a closing date of September 2 for public comments
4. Scheduled the task force's next meeting, if necessary:
 Friday, July 18, 2008
 10 a.m.
 Yellowstone Room, Metcalf Building
 Helena
agenda items (if meeting needed)
 - review and final comments on WUI Standards and Best Practices

The meeting adjourned at 12:38 p.m.

Discussion Summary – these are points brought up during the meeting

Suggested edits to the document

- the document needs a footer with page numbering and date of version
- definitions – pull out those that aren't in the body of the document – DNRC paralegal can do that by July 3
- Parts II and III seem identical – why twice? can't we just cross-reference?
- there's no model out there for subdivisions – we want to make these sections as stand-alone as possible so jurisdictions can “grab” the one they need
- in the zoning section, add statutory authority [Jerry]
- water supply section is new – may need more editing
- “roads” talks about approach and fire access – why not use “ingress” and “egress”?
- don't want to change legal and physical access
- lots of subdivision discussion on approach routes
- define ingress / egress?
- delete section II(3)(d)(ii), move all water-supply information (Section IV) into place here; Section V again becomes Section IV.
- Section II (4) – Bruce can explain “alternative development proposal”
- originally in draft in zoning section
- all of section 4 can / should be open to new technology, alternate ideas
- can help deal with areas that sub regs don't address
- does that step outside statutory authority? – can't change subdivision regulations
- “alternate materials and methods” in WUI code – allows out-of-the-box thinking
- Bruce will send language on alternate methods
- Section II(3)(a)(ii) – concern about access to all open space – the trend is toward keeping open space natural
- last two sentences should probably go to roads section

- would “emergency access” clarify?
- be clear that it’s access up to the edge of open space, not into it
- add language on emergency access to open space; delete the last two sentences [Pat C]
- in II(D) vegetation management - we should acknowledge that open space includes habitat
- it could be a goal of vegetation management to include other values besides fuel mitigation – in both subdivision and zoning sections
- Doris will send language about coordinating standards for fish and wildlife habitat overall
- keep in mind that these guidelines are for fire protection and the means to do it
- are there areas that just can’t be made safe?
- how would you describe those areas in this document?
- isn’t that more for local authorities (county commissions) to handle?
- maybe add a statement to caution people
- SB 51 has the standard, if you can’t mitigate, don’t build there
- in the subdivision section, refer to 76-3-501 and 504, MCA [Tim]; in the zoning section, refer to local authority
- are we looking to define those types of areas?
- they should still be cleaned up
- II(D)(1)(b)(iv) streets and roads cleared – should require vegetation management plan filed
- (b)(ii) says that
- what about the building envelope (D)(1)(a)(ii)? even if it’s cleared, the lot might sit for several years, then people choose to build on a different spot
- shouldn’t “asset protection zone” be a subsection of vegetation management plan? after goals
- then clean up “prior to filing final plat” stuff (now called WUI zone information)
- should we insert, if construction happens at a later date, the APZ must be done to standard?
- could handle it through an amended plat if the owners move the building spot
- stand-alone WUI regs could address the issue, too
- could put language of the face of the plat – that’d show on title clearance
- different counties deal with it differently
- we could encourage putting WUI standards in covenants
- if we take out “building envelope,” we need to note that WUI standards are very difficult to enforce
- well, this whole effort is education and awareness
- in APZ, it refers to building envelope
- move II(D)(1) (a) APZ into (b) vegetation management plan; come up with an alternative to “building envelope” (Jerry, Dave, Tim)
- back to section (iv), should require that all right-of-way is cleared on public roads
- in II(D)(1)(b)(iv) put 5-foot clearance on each side of private roads

- roads have big impact on wildlife – maybe have FWP consultation before clearing all right-of-way as part of the goals for vegetation management plan
- can FWP come up with some language on consulting
- are we getting too specific?
- section (iv), say that vegetation management plan should address clearance along roadways; delete “prior to the filing of the final plat for a subdivision”; move single-specimen language into asset protection zone
- move “prior to the filing of the final plat for a subdivision” to the beginning of II(D)(1)(b)(ii)
- (b)(i) to read “The subdivider should provide a vegetation management plan for all properties within the subdivision, including lots, roadways, and open space”
- add a subsection (v) on fuel breaks and green belts [Pat C]
- add a subsection (vi) on debris removal; add “debris” to definitions
- in Introduction (D) Purpose, make a statement on the strengths and weaknesses of each approach (sub regs, zoning, covenants), along with limitations on authority [Tim]
- water supply issues are only in subdivision section, not zoning
- III(D)(2)(d) addresses that – maybe we should delete it
- what about commercial and industrial uses – you want to make sure the water issues are covered by zoning
- nobody’s going to build a Lowes in the middle of the woods
- but they might build a hotel or resort
- edit the zoning section to address water supply [Jerry, Dave, Tim]
- in water supply, change references to “code” and “code official”
- in water supply section now in subdivision, clarify (G)(1) “buildings other than one- and two-family dwellings” – under this language, a barn would qualify
- in section P on standby power, strike it or change it to be realistic [Bruce, Jerry, Harold]
- state simply that exterior wood siding and roofing are prohibited [Pat C]
- when referring to access, does that mean year-round or seasonal?
- it definitely means year-round
- should we state that?
- add a portion to definition of “physical access” to clarify that it’s year-round, all-weather access
- those doing edits have a deadline to get them to Mark Phares by July 15

Process notes

- the comment period will close on September 2
- number of hearings? that's really up to Mark and Pat and other managers in Forestry Division
- will it be necessary to meet again?
- maybe